



STATE OF MICHIGAN

DEPARTMENT OF NATURAL RESOURCES & ENVIRONMENT

LANSING

JENNIFER M. GRANHOLM
GOVERNOR

REBECCA A. HUMPHRIES
DIRECTOR

March 26, 2010

Mr. Samuel Borries, On-Scene Coordinator
United States Environmental Protection Agency
Region 5
77 West Jackson Boulevard (SE-5J)
Chicago, Illinois 60604-3507

Mr. James Saric, Remedial Project Manager
United States Environmental Protection Agency
Region 5
77 West Jackson Boulevard (SR-6J)
Chicago, Illinois 60604-3507

Dear Mr. Borries and Mr. Saric:

SUBJECT: Notice of Completion of Work for the Former Plainwell Impoundment Time
Critical Removal Action, Allied Paper/Portage Creek/Kalamazoo River
Superfund Site, Allegan and Kalamazoo Counties, Michigan

Pursuant to Paragraph 77 of the Settlement Agreement¹ concerning the Former Plainwell Impoundment Time Critical Removal, this letter documents the Michigan Department of Natural Resources and Environment (DNRE)² concurrence that the Settling Respondents have, in accordance with the Settlement Agreement, fully performed all Work, as that term is defined, with the exception of any continuing obligations required by the Settlement Agreement, including, e.g., post-removal site controls, payment of Future Response Costs and State Future Response Costs, and record retention.

Based upon the Respondents' modified Final Report (titled the Construction Completion Report) and other available information, the DNRE concurs that the Respondents have fully performed the components of Work necessary for issuance of a Notice of Completion of Work under Paragraph 77 of the Settlement Agreement. However, as part of the continuing obligations identified in Paragraph 77, the Respondents are required to continue monitoring of the Plainwell Impoundment Area for three years after receipt of the United States Environmental Protection Agency's (USEPA) Notice of Completion of Work to evaluate bank stability and the success of restored vegetation

¹ Administrative Settlement Agreement and Order on Consent for Removal Action, Docket No. V-W-U7-C-863 (Settlement Agreement), entered on February 17, 2007.

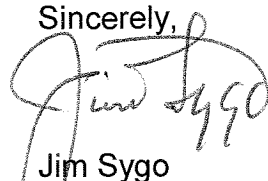
² Pursuant to Executive Order 2009-45, dated October 8, 2009, the Michigan Department of Natural Resources and Environment (DNRE) was created and all authorities, duties, functions and responsibilities formerly assigned to the Michigan Department of Environmental Quality (MDEQ) and the Michigan Department of Natural Resources (MDNR) were transferred to the DNRE effective January 17, 2010.

during the Post-Removal Site Control period. This is especially true as it relates to consideration of the yet unachieved objectives of channel stability and bank stabilization that have been discussed in the modified Final Report.

The DNRE looks forward to our shared involvement as it relates to the ongoing evaluation of the sufficiency of the Plainwell Time Critical Removal Action. The work associated with the Time Critical Removal Action represents a significant step in making progress at the Kalamazoo River Superfund Site. We believe that a "lessons learned" analysis of this removal action would help inform and assist decision-makers in future remedial decisions at this site. It is critical that the collaborative effort begun by the various stakeholders involved with negotiating the terms of the settlement agreement continue as the USEPA begins to evaluate future work efforts to be undertaken on this site.

If you need further information or assistance, please contact Mr. Paul Bucholtz, Project Manager, Specialized Sampling Unit, Superfund Section, Remediation and Redevelopment Division, at 517-373-8174, or you may contact me.

Sincerely,



Jim Sygo
Deputy Director
517-241-7394

cc: Mr. Stephen Garbaciak, Arcadis
Mr. Gary Griffith, Georgia Pacific
Ms. Lisa Williams, United States Fish and Wildlife Service
Ms. Polly Synk, Department of Attorney General
Ms. Arminda Koch, Deputy Director, DNRE
Ms. Sharon Hanshue, DNRE
Ms. Lynelle Marolf, DNRE
Ms. Nanette Leemon, DNRE
Ms. Daria W. Devantier, DNRE
Ms. Judith Alfano, DNRE
Mr. Paul Bucholtz, DNRE